



Written by [Joe Wolverton, II, J.D.](#) on April 24, 2013

Senator Rand Paul Consistent in Drone Policy Position

Several media outlets are reporting that many conservatives who just weeks ago were proud to “Stand with Rand” are now jumping off the Kentucky senator’s bandwagon.

A simple Google search reveals the scope of the situation: Thousands of articles from hundreds of sources ranging from communists to constitutionalists are reporting that Rand Paul has changed his mind and has embraced the use of drones to kill people suspected of committing crimes.



John Hudson, [writing for Foreign Policy online](#), describes the purported mass defection of libertarians from the camp of Senator Rand Paul (R-Ky.).

Ron Paul’s vibrant fan base is in open rebellion today over Rand Paul’s reversal on domestic drone strikes. The Kentucky senator, whose famous 13-hour Senate floor filibuster did much to strengthen his ties with his father’s hardcore following, told Fox Business Network on Tuesday he’s OK with drone strikes on American citizens who, for instance, rob a liquor store.

Before any readers rashly decide to abandon Paul over this (and other) recaps of the [Fox Business appearance](#), the senator’s comments should be more closely examined, especially in light of his already famous [13-hour filibuster of the nomination of John Brennan to lead the CIA](#).

Here are Senator Paul’s comments that have apparently summoned the ire of legions of his former admirers:

I’ve never argued against any technology being used when you have an imminent threat, an active crime going on. If someone comes out of a liquor store with a weapon and fifty dollars in cash. I don’t care if a drone kills him or a policeman kills him.

Admittedly, that sounds less constitutionally clear than the senator’s prior statements from the Senate floor during his filibuster. For example, when asked during his filibuster how long he planned to carry on, Paul responded with an inspiring pledge to “speak as long as it takes, until the alarm is sounded from coast to coast that our Constitution is important, that your rights to trial by jury are precious, that no American should be killed by a drone on American soil without first being charged with a crime, without first being found to be guilty by a court.”

Ostensibly, the man fleeing from the liquor store with the gun and the cash, as described by Paul in his Fox Business interview, would not have been charged with a crime and would not have been found guilty by a court before he was killed by a drone.

Therein lies the rub and therein lies the kernel of the present discontent.

To his credit, Senator Paul is no neo-con shill in sheep’s clothing and he takes very seriously his commitment to the Constitution. Accordingly, he released the [following statement](#) attempting to clarify his true position on the use of drones to target and kill a suspect fleeing from a crime scene:



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“My [comments](#) last night left the mistaken impression that my position on drones had changed.

Let me be clear: it has not. Armed drones should not be used in normal crime situations. They only may only be considered in extraordinary, lethal situations where there is an ongoing, imminent threat. I described that scenario previously during my Senate filibuster.

Additionally, surveillance drones should only be used with warrants and specific targets.

Fighting terrorism and capturing terrorists must be done while preserving our constitutional protections. This was demonstrated last week in Boston. As we all seek to prevent future tragedies, we must continue to bear this in mind.

Here, again, the senator has failed to douse the flames of the furor and the clumsiness of his language is partially to blame.

In a laudable effort to ensure that constitutionalists understood the senator’s point of view, a member of his staff contacted this reporter to better define the blurry edges of Paul’s position.

According to my source, Senator Paul would justify the use of drones to kill a crime suspect only when that person was “threatening people with a gun.” That is to say, if the suspect was “firing on people, threatening the public.”

Then, the source informed this reporter that Senator Paul wished to add the following explanation of his position: “Our historical tradition has always allowed deadly force to be repelled with deadly force, that was the point I was trying to make.”

Finally, the senator unqualifiedly rejects the notion that drones should be used as part of routine police work and says they should be used only in cases of “an imminent threat” when a suspect is “open firing on citizens.”

In contrast, the senator reaffirms his position that if the suspect is fleeing and not threatening anyone, then he is not an imminent threat and should be afforded the full panoply of due process and civil liberties, including being charged and tried.

Riding to the senator’s defense and confirming the information provided to this reporter was libertarian icon and former Fox News contributor Judge Andrew Napolitano.

When asked by the host during [an appearance on Fox Business Network’s Varney and Co.](#) whether Senator Paul had flip-flopped on the drone issue, Judge Napolitano responded, ““An unequivocal no.”

“The filibuster was about the concept of targeted assassinations, about the president picking and choosing who to kill in the U.S. or elsewhere who have not received due process of law,” the judge explained. “They have not been charged of a crime, they have not been convicted of a crime, they’ve just gotten in the president’s crosshairs. That is the essence of the filibuster.”

When asked to address Senator Paul’s comments regarding the man “coming out of a liquor store with a gun and 50 bucks,” Napolitano said, “He probably should have said ‘Coming out of a liquor store *shooting* and with 50 bucks.’ If someone is using a deadly weapon on police or the civilians, the police can use a deadly weapon with which to repel that person.”

Napolitano’s description of Senator Paul’s position on the issue squares perfectly not only with the senator’s previous statements (including a similar scenario described during the filibuster), but with the information provided this reporter Tuesday night.



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Perhaps the moral of the story is that no one is perfect and everyone is liable to be misunderstood, particularly when statements are made on hot-button issues that can be interpreted in ways that would rightly rile up those who recognize the clear and present danger posed to our constitutional republic by elected representatives who routinely call for the deprivation of due process to those suspected of “terrorism.”

Without any doubt, regardless of the tempest stirred up by reporters, readers can rest assured that Rand Paul is not one of those politicians.

Photo of Sen. Rand Paul (R-Ky.): AP Images

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